

therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

#### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

#### PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g) 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

##### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9B, Airspace Designations and Reporting Points, dated July 18, 1994 and effective September 16, 1994, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet above the surface of the earth.*

\* \* \* \* \*

#### ASO AL E5 Leesburg, FL

Leesburg Municipal Airport

(Lat. 28°49'22"N, long. 81°48'33"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Leesburg Municipal Airport.

\* \* \* \* \*

Issued in College Park, Georgia, on August 11, 1995.

**Wade T. Carpenter,**

*Acting Manager, Air Traffic Division,  
Southern Region.*

[FR Doc. 95–20680 Filed 8–18–95; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 310 and 341

[Docket No. 95N–0205]

RIN 0905–AA06

#### Cold, Cough, Allergy, Bronchodilator, and Antiasthmatic Drug Products for Over-the-Counter Human Use; Proposed Amendment of Monograph for OTC Bronchodilator Drug Products; Correction

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** The Food and Drug Administration (FDA) is correcting a proposal that appeared in the **Federal Register** of July 27, 1995 (60 FR 38643). That document proposed to amend the final monograph for over-the-counter (OTC) bronchodilator drug products to remove the ingredients ephedrine, ephedrine hydrochloride, ephedrine sulfate, and ractephedrine hydrochloride and to classify these ingredients as not generally recognized as safe and effective for OTC use. The document was published with two errors. This document corrects those errors.

**FOR FURTHER INFORMATION CONTACT:** Lajuana D. Caldwell, Office of Policy (HF–27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–2994.

**SUPPLEMENTARY INFORMATION:** In FR Doc. 95–18448, appearing on page 38643 in the **Federal Register** of July 27, 1995, the following corrections are made:

#### § 310.545 [Corrected]

1. On page 38646, in the third column, in § 310.545 *Drug products containing certain active ingredients offered over-the-counter (OTC) for certain uses*, in paragraph (a)(6)(iv)(D), the words "August 28, 1995" are corrected to read "(date 30 days after date of publication of the final rule)"; and in paragraph (d)(27), the words "August 28, 1995" are corrected to read "(Date 30 days after date of publication of the final rule)".

Dated: August 14, 1995.

**William K. Hubbard,**

*Acting Deputy Commissioner for Policy.*

[FR Doc. 95–20607 Filed 8–18–95; 8:45 am]

BILLING CODE 4160–01–F

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[CA141–1–6899; FRL–5270–7]

#### Approval and Promulgation of State Implementation Plans; California—Ozone

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** EPA proposes approval of certain provisions in the state implementation plan (SIP) revision submitted by the State of California. The California Air Resources Board (CARB) adopted these provisions on November 15, 1994, as part of "The 1994 California State Implementation Plan for Ozone." The portions of the SIP proposed for approval today are commitments by the CARB to adopt regulations for various mobile source and consumer product categories by particular dates to achieve specific emission reductions of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>) in order to attain the national ambient air quality standards (NAAQS) for ozone.

The effect of EPA's proposed approval of these commitments is to incorporate the commitments into the federally approved SIP. EPA proposes to approve the commitments under provisions of the Clean Air Act (CAA or "the Act") regarding EPA actions on SIP submittals and general rulemaking authority because these revisions strengthen the SIP.

**DATES:** Comments must be received on or before September 20, 1995.

**ADDRESSES:** Materials relevant to this rulemaking are available for review at: Regional Administrator, Attention: Office of Federal Planning (A–1–2), Air and Toxics Division, Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Interested persons may make an appointment with Ms. Virginia Petersen at (415) 744–1265, to inspect the docket at EPA's San Francisco office on weekdays between 9 a.m. and 4 p.m.

Copies of the SIP submittal is also available for inspection at the addresses listed below:

California Air Resources Board, 2020 L Street, Sacramento, California.  
South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, California.

**FOR FURTHER INFORMATION CONTACT:** Julia Barrow (415) 744–2434, at the Office of Federal Planning (A–1–2), Air and

Toxics Division, U.S. EPA, Region IX, 75 Hawthorne Street, San Francisco, California, 94105-3901.

**SUPPLEMENTARY INFORMATION:** In 1990 Amendments to Title I of the CAA, Congress revamped the requirements for areas that have not attained the national ambient air quality standards (NAAQS) for ozone, carbon monoxide (CO), particulate matter, sulfur dioxide, nitrogen dioxide, and lead. In addition, Congress made numerous changes in the requirements for SIPs in general, including the provisions governing EPA's processing of SIP revisions, as well as the repercussions of State failures to meet the various SIP requirements. Among the important new title I requirements was the November 15, 1994 submittal of ozone attainment plans for areas classified as "Serious," "Severe," or "Extreme."

On November 15, 1994, the CARB submitted attainment plans for the various ozone nonattainment areas in the State, consisting of: (1) locally adopted control measures and other plan components; (2) fully adopted CARB regulations for consumer products, reformulated gasoline, and clean diesel fuel; and (3) commitments by State agencies to adopt rules and regulations in the future. The State commitments were subsequently updated, corrected, and resubmitted on December 29, 1994. EPA is today proposing action upon "Volume II: The Air Resources Board's Mobile Source and Consumer Products Elements," as resubmitted. The elements proposed for approval into the SIP today were found to be complete on January 30, 1995 and April 18, 1995, pursuant to EPA's completeness criteria that are set forth in 40 CFR Part 51 Appendix V.<sup>1</sup>

The State commitments fall into two categories. In the first category are well-defined commitments to be met in the next few years, to adopt statewide measures achieving additional emission reductions from mobile sources and consumer products. In the second category are longer-term measures, allowed under section 182(e)(5) of the CAA for the South Coast portion of the State. In this document, EPA is proposing action on the State's commitments in the first category to adopt specific near-term controls.

The strong commitments of CARB and local agencies, reflected in the November 15, 1994 submittal, evidence a determination to continue the State's leadership role in achieving air

pollution progress. Therefore, even in advance of CARB adoption of regulations, EPA is taking what rulemaking action is authorized to support the State's control measure commitments and make them an enforceable part of the SIP. The CARB commitments proposed for approval today are as follows:

*Measure M3, Accelerated Ultra-Low Emission Vehicle (ULEV) requirement for Medium-Duty Vehicles (MDVs), adoption 1997, implementation 1998–2002, South Coast reductions in 2010—32 tons per day (tpd) NO<sub>x</sub>, 4 tpd reactive organic gases (ROG).* These reductions will be achieved by an increase in MDV ULEVs, as currently defined by CARB, from 10 percent of sales of new MDVs in 1998 model year to 100 percent in 2002 and later model years.

*Measure M5, Heavy-Duty Vehicles (HDVs)—NO<sub>x</sub> regulations, adoption 1997, implementation 2002, South Coast reductions in 2010—56 tpd NO<sub>x</sub>, 4 tpd ROG.* These reductions will be achieved by CARB adoption of a 2.0 gram per brake horsepower-hour NO<sub>x</sub> exhaust emission standard for new heavy-duty truck engines sold in California beginning in 2002, or by implementation of alternative measures which achieve equivalent or greater reductions. Alternatives under consideration include expanded introduction of alternative-fueled and low-emission diesel engines through demand-side programs and incentives, retrofit of aerodynamic devices, reduced idling, and speed reduction.

*Measure M8, Heavy-Duty Gasoline Vehicles (HDGVs)—lower emission standards, adoption 1997, implementation 1998–2002, South Coast reductions in 2010—3 tpd NO<sub>x</sub>.* These reductions will be achieved by application of 3-way catalyst technology in HDGVs will obtain 50 percent reductions of NO<sub>x</sub> and ROG emissions from these engines.

*Measure M11, Industrial Equipment, Gas & LPG—three-way catalyst technology, adoption 1997, implementation 2000–2004, South Coast reductions in 2010—14 tpd NO<sub>x</sub>, 29 tpd ROG.* Emission standards for new engines greater than 25 hp and less than 175 hp will be phased in beginning in 2000, based on the use of closed-loop 3-way catalyst systems, which are expected to reduce ROG by 75 percent and NO<sub>x</sub> by at least 50 percent.

*Measure CP-2, Mid-Term Consumer Products ("Phase III"), adoption July 1997, reductions in 2005—25 percent reduction beyond currently adopted CARB regulations, South Coast reductions in 2010—34 tpd ROG.*

In this document, EPA is proposing to approve these commitments in the 1994 ozone plan, but is not at this time proposing action on the plans for the individual ozone nonattainment areas. Thus, EPA has made no determination as to whether these plans meet the attainment demonstration, progress, or any other specific section 182 requirements of the Act. EPA has, however, concluded that the CARB plan contains enforceable commitments to adopt regulations that, if approved, would greatly strengthen the SIP. Therefore, EPA is proposing to approve these commitments under section 110(k)(3) and 301(a) solely for their strengthening effect.

EPA is firmly committed to assisting CARB in its efforts to develop and adopt the associated State regulations, which EPA agrees are vitally important if the State is to meet the public health goals of the Act. EPA shares the State's dedication, reflected in these commitments, to achieve real and sustainable progress toward clean air at the least cost. EPA pledges to work closely with CARB to speed full SIP approval of the regulations eventually adopted by the State.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

### Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small business, small not-for-profit enterprises and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under sections 110 and 301 and subchapter I, part D of the Clean Air Act, do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal/state relationship under the Act, preparation of a regulatory flexibility analysis would constitute Federal inquiry into the

<sup>1</sup> EPA adopted the completeness criteria on February 16, 1990 (55 FR 5830) and, pursuant to section 110(k)(1)(A) of the CAA, revised the criteria on August 26, 1991 (56 FR 42216).

economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIP's on such grounds. *Union Electric Co. v. U.S.E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The OMB has exempted this action from review under Executive Order 12866.

#### Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of these SIP revisions, the State and any affected local or tribal governments have elected to adopt the program provided for under sections 110 and 182 of the CAA. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules being proposed for approval will impose any mandate upon the State, local, or tribal governments either as the owner or operator of a source or as a regulator, or would impose any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this proposed action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: July 5, 1995.

**Felicia Marcus,**

*Regional Administrator.*

[FR Doc. 95-20600 Filed 8-18-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[CA 126-1-7083b; FRL-5267-8]

#### Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, El Dorado County Air Pollution Control District and Yolo-Solano Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP), which concern the control of volatile organic compound (VOC) emissions from cutback and emulsified asphalt and the storage and transfer of organic liquids.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revisions as a direct final rule without prior proposal because the Agency views these as noncontroversial revision amendments and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to these rules. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by September 20, 1995.

**ADDRESSES:** Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rules and EPA's evaluation reports of the rules are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814;

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Placerville, CA 95667; Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616.

**FOR FURTHER INFORMATION CONTACT:** Duane F. James, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1191.

**SUPPLEMENTARY INFORMATION:** This document concerns the El Dorado County Air Pollution Control District's Rule 224, "Cutback and Emulsified Asphalt Paving Materials," and the Yolo-Solano Air Quality Management District's Rule 2.21, "Vapor Control for Organic Liquid Storage and Transfer." These rules were submitted to EPA on November 30, 1994, by the California Air Resources Board. For further information, please see the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: July 21, 1995.

**John Wise,**

*Acting Regional Administrator.*

[FR Doc. 95-20595 Filed 8-18-95; 8:45 am]

BILLING CODE 6560-50-W

#### 40 CFR Part 52

[IL62-1-5674B; FRL-5281-5]

#### Approval and Promulgation of Implementation Plans; Illinois

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve a requested revision to the Chicago ozone Federal Implementation Plan as it pertains to the American Decal and Manufacturing Company's plant in Chicago, Illinois. This action lists the FIP revision that USEPA is proposing to approve and provides an opportunity to request a public hearing. A rationale for approving this request is presented in the final rules section of this **Federal Register**, where USEPA is approving the revision request as a direct final rule without prior proposal because USEPA views this as a noncontroversial revision and anticipates no adverse comments. If no adverse comments or requests for a public hearing are received in response to that direct final rule, no further activity is contemplated